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REMARKS

Claims 1-19 are pending in the application.

The Office action objects to claim 1 for an informality (an obvious typographical error). The claim when is amended to correct this error; its scope is not changed thereby. Withdrawal of the objection to claim 1 is respectfully requested.

The Office action rejects claims 2 and 6-8 under 35 U.S.C. § 112, second paragraph. Applicants respectfully traverse this rejection. As explained below, claims 2 and 6-8 are patentable under 35 U.S.C. § 112, second paragraph.

The specification describes the features of the invention that the LED light engine is controllable to vary intensity, and that the first, second, and third color LEDs are separately controllable to allow a variable controlled color point, as recited in the claims. What is inventive is the idea of controlling intensity of the individual LEDs and light engine in this way in combination with the other features of the claim invention. The actual mechanisms for controlling intensities of the individual LEDs is well known and one of ordinary skill in the art would be able to choose one of many well known methods to do so without undue experimentation. Similarly, the concept of adjusting the color point of

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illumination by separately adjusting individual component colors is well understood and needs no separate disclosure of "structure" to teach same to any one of ordinary skill in the art. Therefore specific teaching of structure for these very well known mechanisms is not necessary to support the claim.

"A patent specification need not teach, and preferably omits, what is well known in the art." [MPEP 2164.01, **Test of Enablement**]. "If a skilled artisan would have understood the inventor to be in possession of the claimed invention at the time of filing, even if every nuance of the claims is not explicitly described in the specification, then the adequate description requirement is met." [MPEP 2163.II.2,3, **Adequacy of Written Description**].

Accordingly, withdrawal of the rejection of claims 2 and 6-8 is respectfully requested.

The Office action rejects claims 1, 3, 4, 9, 11, and 12 under 35 U.S.C. § 103(a) over U.S. Pat. No. 5,836,669 to Hed in view of published U.S. Pat. Application 2002/0051357 by Truttmann-Battig. Applicants respectfully traverse this rejection. As explained below, claims 1, 3, 4, 9, 11, and 12 are patentable over any permissible combination of the cited references.

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As the Examiner notes in the Office action, Hed does not disclose an LED light engine including a plurality of different colors including first, second, and third colors, and in fact does not disclose using an LED light engine at all. Indeed, Hed teaches taking a single color light source and distributing light from that light source to different areas of an appliance interior using a multiplicity of light guides such as optical fibers, but does not disclose the patentable features of applicants' claimed invention of using an LED light engine and of using a plurality of different colored LEDs.

Truttmann-Battig does not cure this deficiency. The test for patentability under 35 U.S.C. § 103(a) over a combination of two references is not whether different features found in the different references can be combined, but whether there is any teaching or motivation in the prior art to combine the references to produce the claimed invention. However, the Office action has pointed to no place in the cited references or motivation for such a combination is given. While it is true that Truttmann-Battig mentions the possibility of using different colored LEDs, it does so only in the context of LEDs placed directly in a refrigeration compartment to directly illuminate items therein. There is no suggestion or motivation given for using multiple colors in a light engine that is

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outside the refrigerator compartment to produce light that is carried into the compartment by a light guide. Indeed, Truttmann-Battig teaches away from applicants' recited invention by teaching that a great number of LEDs are to be placed side-by-side in the compartment in the position normally occupied by fluorescent tubes for example. If there were any suggestion or thought that these LEDs could be placed outside the compartment and used in conjunction with a light guide, there would be no need for the very many LEDs that Truttmann-Battig found necessary to provide inside the compartment.

Since there is no motivation or suggestion in any reference identified by the Office action for combining the feature of an LED outside the compartment with a light guide to bring the light inside the compartment, the cited references cannot be combined in this way. To do so was an inventive concept of the applicants of the present invention, and such a combination would only be obvious in hindsight in light of applicants' own disclosure. Since there is no motivation for combining the cited references either in the cited references or in knowledge available to one of ordinary skill in the art at the time of the invention, the rejection of claims 1, 3, 4, 9, 11, and 12 under 35 U.S.C. § 103(a) must be withdrawn.

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The Office action rejects claims 2, 8, 10, and 19 under 35 U.S.C. § 103(a) over Hed in view of Truttmann-Battig as above and further in view of Komia (JP2000258052A). Applicants respectfully traverse this rejection. Claims 2, 8, 10, and 19 are patentable at least because they respectively depend from claims 1, 4, 9, and 12 that are patentable as explained above. Additionally, Komia teaches a control device or dimmer for varying illumination outputs of lamps inside the refrigerated showcase or compartment, but fails to teach or suggest any motivation for combining this feature with an LED light engine outside the compartment, and also fails to teach or suggest any motivation for combining this feature with the light guides of Hed. Indeed, the primary reference Hed itself teaches against such a combination by teaching alternate distributions of light guides such as optical fiber for example, rather than a dimmer, for varying intensities at different locations within the cabinet. Accordingly, withdrawal of the rejection of claims 2, 8, 10, and 19 is respectfully requested.

The Examiner states that claims 5 and 13-18 would be allowable if rewritten in independent form including all features of base and intervening claims, and states that claims 6 and 7 would be allowable once the rejection under 35 U.S.C.

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§ 112, second paragraph is overcome. Applicants thank the Examiner for this indication of patentable subject matter.

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

1. (Amended) A storage compartment equipped with a light emitting diode (LED) light source for illuminating contents inside the compartment,

the LED light source comprising a LED light engine outside the compartment and a light guide inside the compartment, the light guide being optically coupled to ~~be the~~ LED light engine for bringing light illumination from the LED light engine into the compartment via the light guide.